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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hogenkamp *et al.*

Appl. No. 09/803,659 ✓

Filed: March 12, 2001 ✓

For: **Aryl Substituted Pyridines,  
Pyrimidines, Pyrazines and  
Triazines and the Use Thereof** ✓

Confirmation No. 6633

Art Unit: 1624

Examiner: Balasubramanian, V.

Atty. Docket: 1861.1260001/JMC/THN

**First Supplemental Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents AL2, AM2, AN2, AO2, AP2, AL3, AM3, AN4, AO4, AN5, AO5, AP6, AM7, AT5, AR6, AS7, AR11, AS12, AT12, AS16, AR17, AS23, and AT31 cited on Form PTO 1449:

Document **AL2**, French Patent No. 1,536,093, is in the French language. An English language abstract of document AL2 is attached as document **AT37**.

Document **AM2**, German Patent Appl. No. DE 30 12 597 A1, is in the German language. An English language equivalent of document AM2 is attached as document **AH2**.

Document **AN2**, Japanese Patent No. JP 56104883, is in the Japanese language. An English language abstract of document AN2 is attached as document **AS35**.

Document **AO2**, European Patent Appl. No. EP 0 123 700 A1, is in the German language. An English language abstract of document AO2 is attached as document **AT35**.

Document **AP2**, European Patent Appl. No. EP 0 096 657 A2, is in the German language. An English language equivalent of document AP2 is attached as document **AI2**.

Document **AL3**, German Patent Appl. No. DE 32 45 950 A1, is in the German language. An English language abstract of document AL3 is attached as document **AR36**.

Document **AM3**, Japanese Patent No. JP 63020234, is in the Japanese language. An English language abstract of document AM3 is attached as document **AS36**.

Document **AN4**, European Patent Appl. No. EP 0 550 900 A1, is in the German language. An English language abstract of document AN4 is attached as document **AT36**.

Document **AO4**, Japanese Patent No. JP 07076542, is in the Japanese language. An English language abstract of document AO4 is attached as document **AR37**.

Document **AN5**, WO 99/38829, is in the Japanese language. An English language equivalent of document AN5 is attached as document **AO6**.

Document **AO5**, French Patent No. 1,477,021, is in the French language. An English language abstract of document AO5 is attached as document **AS37**.

Document **AP6**, European Patent Appl. No. 0 480 258 A2, is in the German language. An English language abstract of document AP6 is attached as document **AR35**.

Document **AM7**, Japanese Patent No. 02052360, is in the Japanese language. An English language abstract of document AM7 is attached as document **AR34**.

Document **AT5**, Burdeska, K., *et al.*, is in the German language. An English language summary is included therein.

Document **AR6**, Cabreizo, M., *et al.*, is in the Spanish language. An English language summary is included therein.

Document **AS7**, Chacón, M. del C., *et al.*, is in the Spanish language. An English language summary is included therein.

Document **AR11**, Fuentes, L., *et al.*, is in the Spanish language. An English language summary is included therein.

Document **AS12**, Görlitzer, K. and Düwel, W., is in the German language. An English language summary is included therein.

Document **AT12**, Görlitzer, K and Diers, K., is in the German language. An English language summary is included therein.

Document **AS16**, Kauffmann, T. and Wolf, D., is in the German language. Document AS16 appears to show a reaction between an aromatic nitrile and sodium salt of hydrazine.

Document **AR17**, Klauschenz, E., *et al.*, is in the German language. An English language summary is included therein.

Document **AS23**, Petrovskii, A.S., *et al.*, is in the Russian language. An English language abstract of document AS23 is attached as document **AT33**.

Document **AT31**, Troschütz, V.R. and Nietsch, K.-H., is in the German language. An English language abstract of document AT31 is attached as document **AT34**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "John M. Covert", followed by a checkmark.

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Attorney for Applicants  
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Date: Jan. 17, 2002  
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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
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January 17, 2002

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Commissioner for Patents  
Washington, D.C. 20231

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Via Hand Carry  
Group Art Unit 1624  
Examiner V. Balasubramanian

Re: U.S. Utility Patent Application  
Appl. No. 09/803,659; Filed: March 12, 2001  
For: Aryl Substituted Pyridines, Pyrimidines, Pyrazines and  
Triazines and the Use Thereof  
Inventors: Hogenkamp *et al.*  
Our Ref: 1861.1260001/JMC/THN

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement (*in duplicate*);
2. Form PTO-1449 (36 sheets);
3. Copy of one hundred fifty-six (156) cited documents; and
4. One (1) return postcard.

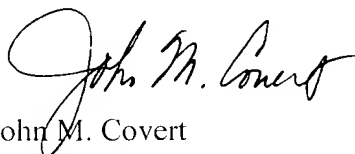
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
January 17, 2002  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "John M. Covert". The signature is fluid and cursive, with the first name "John" being more prominent.

John M. Covert  
Attorney for Applicants  
Registration No. 38,759

Enclosures